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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,735	09/12/2003	Masaya Kobayashi	Q77502	4927
65565	7590	01/24/2008		
SUGHRUE-265550			EXAMINER	
2100 PENNSYLVANIA AVE. NW			KASSA, HILINA S	
WASHINGTON, DC 20037-3213			ART UNIT	PAPER NUMBER
			2625	
			MAIL DATE	DELIVERY MODE
			01/24/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/660,735	<b>Applicant(s)</b> KOBAYASHI, MASAYA	
	<b>Examiner</b> Hilina S. Kassa	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/07/2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-25 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-25 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. The amendment submitted on 11/07/2007 has been acknowledged. The cancelled claims 1-20 and 26-27 and the newly added claim 28 are also acknowledged.

### *Response to Arguments*

2. Applicant's arguments filed 11/07/2007 have been fully considered but they are not persuasive.

Applicant argues that Cook et al. does not disclose **“the feature of if the content includes a plurality of contents laid out for the one of the pages being printed, then the control unit automatically changes the number of the contents displayed on the screen by the display unit in accordance with a printing situation.”**

With respect to Applicant's argument, Cook et al. disclose **wherein if the content includes a plurality of contents laid out for the one of the pages being printed** (76, figure 7a; column 10, 11-18; note that the content of page 76 gets displayed in the manner in which it gets printed), **then the control unit automatically changes the number of the contents displayed on the screen by the display unit in accordance with a printing situation** (column 10, lines 11-32; note that when the page includes plurality of contents or images , the change gets displayed. Also, changes made to the menu option get displayed immediately to reflect the selection on

the page column 10, lines 53-56). Therefore, the Examiner relies on the teachings of Cook et al. for the stated argument.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21, 22 and 24-25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US Patent Number 7,190,473 B1) and in view of Lopez et al. (US Public Number 2003/0020945 A1).

**(1) regarding claim 21:**

As shown in figure 3, Cook et al. a display apparatus for displaying content (30, figure 3; column 7, lines 17-18; note that the display apparatus is a liquid crystal display) based on a print job corresponding to a plurality of pages in response to one print instruction (column 7, lines 36-42; note that a number of primary states which correspond to the digital images gets displayed), the display apparatus comprising:

a display unit that displays the content on a screen (column 7, lines 37-42; note that the display unit previews images that are specified for printing); and

a control unit that causes the display unit to display that content laid out for one of the pages which is being printed (24, figure 4; column 8, lines 32-36; note that the

layout is associated with the page view and may be selected when the page view is active. Also in column 9, lines 4-7, when the image view is active, pressing the print button instructs image processing to immediately print),

wherein if the content includes a plurality of contents laid out for the one of the pages being printed (76, figure 7a; column 10, 11-18; note that the content of page 76 gets displayed in the manner in which it gets printed), then the control unit automatically changes the number of the contents displayed on the screen by the display unit in accordance with a printing situation (column 10, lines 11-32; note that when the page includes plurality of contents or images, the change gets displayed. Also, changes made to the menu option get displayed immediately to reflect the selection on the page column 10, lines 53-56).

**(2) regarding claim 22:**

Cook et al. further disclose the display apparatus according to claim 21, wherein the control unit causes the display unit to display the content to be printed before printing the content is started (column 7, lines 48-50; note that the display unit previews a page before it gets printed).

**(3) regarding claim 24:**

Cook et al. further disclose the display apparatus according to claim 21, wherein the control unit causes the display unit to display at least a part of each content (column

7, lines 42-45; note that the display unit displays a formatted or unformatted version of an image).

**(4) regarding claim 25:**

Cook et al. further disclose the display apparatus according to claim 21, wherein the control unit causes the display unit to change a display by a predetermined number of contents when a plurality of contents are laid out for one page (column 7, lines 37-42; note that the display comprises different views in which images and other information may be depicted on the display).

**(5) regarding claim 28:**

Cook et al. further disclose the displaying apparatus to claim 21, further comprising:

a receiving unit that receives a print progress information which is generated in according with a progress of a printing operation based on the print job (column 6, lines 16-26; note that digital photographs are received) and which includes a layout of the one of the pages being printed (column 8, lines 32-35; note that a page menu displays the layout view for the page) and a serial number assigned to the page being printed (column 9, lines 29-33; note that photo number gets assigned for each photographs that are about to be printed) and corresponding to an image number identifying the content (column 9, lines 33-36; note that the assigned photo number corresponds to the image to provide an easy means for the user to recall the image); and

a reading unit that reads a display layout definition filed based on the layout (column 10, lines 1-16; note that the page preview gets displayed according to the photographic images arrangement),

wherein the control unit analyzes the display layout definition file to set display information (column 10, lines 16-18) and analyzes the serial number and the display definition file to read the content laid out for one of the pages being printed (column 10, lines 23-32); and

the control unit causes the display unit to display the read content based on the display information (column 10, lines 34-44).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US Patent Number 7,190,473 B1) as disclosed in claim 21, and further in view of Chiarabini et al. (US Patent Number 5,963,216).

**(1) regarding claim 23:**

Cook et al. disclose all of the subject matter as described as above except for specifically teaching wherein the control unit stops display switching of the content to be printed based on a print cancel command.

However, Chiarabini et al. disclose wherein the control unit stops display switching of the content to be printed based on a print cancel command (column 10, lines 44-53; note that user can preview each page and cancel the printing job as desired).

Cook et al. and Chiarabini et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have a cancel button that cancels print jobs and resumes to display. The suggestion/motivation for doing so would have been for flexibility and efficiency so that user could get notified via the display that the job is canceled. Therefore, it would have been obvious to combine Cook et al. with Chiarabini et al. to obtain the invention as specified in claim 23.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the



shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins could be reached at (571) 272- 7406.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks

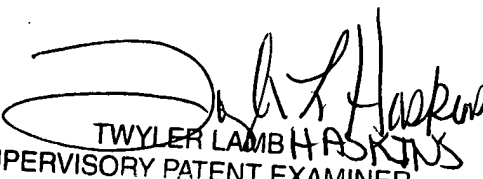
Washington, D.C. 20231

Or faxed to:

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
TWYLER LAMB HASKINS  
SUPERVISORY PATENT EXAMINER

Hilina Kassa  
January 9, 2008  
